

Application Serial No. 10/791335
Examiner: J. Hoang
Art Unit: 3747

PATENT
HSM&L No. 14470.0035US01

IN THE DRAWINGS

Amendments to the Drawings

Please amend the drawings as attached herewith in the proposed amended Figures. No new matter has been added.

Proposed amended Figures 2, 7, and 8 are submitted as mark-ups to the Figures 2, 7 and 8 originally filed. Figures 2, 7, and 8 have been editorially revised to correct misspellings.

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REMARKS

Reconsideration and reexamination are respectfully requested in view of the above amendments and following remarks. The abstract of the specification is amended to address formal issues. Proposed amended Figures 2, 7, and 8 are submitted herewith. The figures have been revised to correct misspellings. Formalized versions of the proposed amended Figures 2, 7, and 8 will be submitted pending approval by the Examiner. Claim 1 is amended of which subject matter is supported for instance, at page 11, lines 2-11 and Figures 2-4. No new matter has been added and entry of the amendments is respectfully requested. Applicant notes that Examiner has listed only claim 5 as pending in the Disposition of the Claims on the Office Action Summary page. Correction of this is respectfully requested, as claims 1-5 are pending in this patent application.

The abstract of the specification is objected to for exceeding 150 words in length. The abstract has been amended to comply with the word limit requirement. Applicant respectfully asserts that the abstract is in proper form.

Withdrawal of the objection is respectfully requested.

Claims 1, 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Onishi (U.S. Patent No. 4,864,998).

Claim 1 recites an engine control unit having, among other features, a means for determining a change in voltage from the external power source where the change in voltage is a sudden decrease in voltage or is a voltage in the vicinity of 0V for a period of time. (See for example page 11, lines 2-11 and "114" of Figure 2.) Furthermore, the engine control unit stores an engine stop flag in the storage means when disconnection of the engine control unit is detected by the unit disconnection detecting means or when there is a sudden decrease in voltage or when there is a voltage in the vicinity of 0V for a period of time detected by the change in voltage determining means. The engine control unit permits operation of the engine for a predetermined time period in the case where the engine stop flag is stored in the storage means. The claimed invention provides advantages such that activation of an engine can be prohibited for a certain period of time after, for example, a car wash, and current leakage from a battery can be reduced by gaining time for drying the vehicle. (Page 12, lines 14-17.)

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Onishi, however, does not teach or suggest the features of claim 1. Onishi does not disclose, for example, an engine control unit that includes a means for determining a change in voltage from the external power source where the change in voltage is a sudden decrease in voltage or is a voltage in the vicinity of 0V for a period of time.

Onishi provides a fuel injection system in which a fuel injection amount is controlled corresponding to an atmospheric pressure change. An altitude compensating learning correction factor stored in a backup RAM is utilized so that even when a battery is disconnected from the memory of the backup RAM and the stored data of the learning correction factor is lost, the altitude compensating correction factor can be directly determined based on the atmospheric pressure without executing learning control. In such a configuration, Onishi contemplates that the fuel injection amount can be corrected at the time of the initial cranking of the engine. (Abstract and Col. 10, line 14-59.)

However, Onishi is directed to solving a different problem, namely controlling the fuel injection amount using atmospheric pressure changes. Onishi does not mention an engine control unit having a means for determining a change in voltage from the external power source where the change in voltage is a sudden decrease in voltage or is a voltage in the vicinity of 0V for a period of time. Thus, Onishi does not disclose or suggest the features of the claimed invention required by claim 1. For at least these reasons, claim 1 is not anticipated by Onishi. Applicant respectfully submits that claim 1 is allowable over Onishi. Furthermore, Applicant respectfully asserts that claims 2-5 depend upon claim 1 and are also allowable over Onishi. Thus, claims 2-5 need not be separately distinguished, however, Applicant reserves the right to present additional arguments with respect to any of claims 2-5 at a later date.

Favorable reconsideration and withdrawal of the rejection are respectfully requested.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Onishi (cited above) as applied to the above claims in view of Iijima et al. (U.S. Patent No. 5,708,307).

Claim 1 has been discussed above. Onishi is distinguishable from claim 1 for at least the reasons already discussed. Claim 2 depends upon claim 1 and is allowable over Onishi for at least the same reasons with respect to claim 1.

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Iijima et al. does not provide what is missing from Onishi. Iijima et al. provides an anti-theft car protection system that employs a key 1 having a transponder 11 built therein for ensuring transmission/receiving with respect to a vehicular antenna 2. (Col. 3, lines 33-44.) The system includes an immobilizer control unit 4 that detects whether or not the ID number of the key 1 coincides with a previously registered code, and the immobilizer control unit carries out key collation when the key 1 is operated to an ignition turn-on position, and transmits, when the ID number coincides with the code, an engine start permission signal to an engine control unit. (Figure 1, Col. 3, lines 55-64.) However, Iijima et al. does not disclose or suggest an engine control unit that includes a means for determining a change in voltage from the external power source where the change in voltage is a sudden decrease in voltage or is a voltage in the vicinity of 0V for a period of time. Thus, Iijima et al. fails to remedy the deficiencies of Onishi. Accordingly, claim 1 is allowable over Onishi and Iijima et al. either alone or in combination for at least these reasons.

As claim 2 depends upon claim 1, claim 2 is also allowable over Onishi and Iijima et al. separately or in combination. Applicant does not concede the correctness of the rejection, and reserves the right to present additional arguments addressing claim 2 at a later date.

Favorable reconsideration and withdrawal of the rejection are respectfully requested.

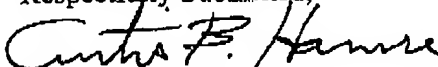
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In view of the above, Applicants' believe that the pending claims are allowable. Favorable reconsideration in the form of a notice of allowance is requested. If any questions or concerns arise regarding this communication, the examiner is invited to contact the undersigned attorney listed below.

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Respectfully Submitted,



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